IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 13302 of 2004

Between:

Potluri Sunitha D/o Venkateshwarlu, Aged 24 years,
1-1-227/1 Ashoknagar, Manguru, Khamman District

..... PETITIONER

AND

The Mandal Revenue Officer Manguru, Khammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue such an appropriate writ, order or direction to the respondent more so particularly one in the nature of Mandamus declaring the action of the respondent in interfering with the peaceful possession and enjoyment of the petitioner in respect of Ac. 0-20 guntas of land out of Survey No.138/1580, situated at Manguru Village, Khamman District Assigned to her through proceedings No.B/4646/03, dt. 16/01/2003 without any valid reason and without issuing any notice to the petitioner as arbitrary, illegal apart from violative of Principal of natural justice and consequently direct the respondent not to interfere with the possession and enjoyment of the petitioner in respect of the land assigned to her under patta No.B/4646/03 dt. 16/01/2003.

Counsel for the Petitioner :MR.HARI SREEDHAR

Counsel for the Respondent : GP FOR REVENUE

The Court made the following :

ORDER:

The petitioner was assigned agricultural land admeasuring Ac.0.20 guntas in Survey No.138/1580 of Manguru village. The allegation of the petitioner is that when she was making the land ready for cultivation, the respondent, without any reasons, is trying to interfere with the possession. Apprehending that she might be dispossessed and evicted forcibly, the present writ petition is filed.

To my mind, the writ petition is filed on mere apprehension. Even according to the petitioner, the land was assigned on 16.1.2003 and no action was initiated for cancellation of the assignment. In that view of the matter, there is no reason as to whether respondent should forcibly evict the petitioner. However, it is made clear that if the petitioner has to be evicted, it shall be done in accordance with law.

The writ petition, with the above observations, is dismissed.

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Dated : August 6, 2004. **V.V.S. RAO, J**

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Revenue Officer Manguru, Khammam District.

2. Two CCs to the Government Pleader for Revenue,

High Court of Andhra Pradesh, Hyderabad (O.U.T)

3. Two CD copies.